

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

IN RE:)	CHAPTER 13
Al Palacz,)	CASE NO. 19 B 09856
)	
Debtor(s),)	Judge: Timothy A. Barnes

Al Palacz,)	
)	
Plaintiff(s),)	
)	
v.)	ADV. NO. ____ AP_____
)	
Real Time Resolutions Inc.)	
and Mortgage Electronic Registration Systems Inc.)	
)	
Defendant(s).)	

**COMPLAINT OF THE DEBTOR PURSUANT TO 11 U.S.C. §1322(B) AND
BANKRUPTCY RULE 3012 TO DETERMINE THE VALUE OF SECURITY AND
RELEASE OF REAL TIME RESOLUTIONS INC. AND MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS INC. UNDERLYING LIEN ON DEBTOR'S PROPERTY**

NOW COMES the Plaintiff, Al Palacz, by and through his attorneys, Cutler & Associates, Ltd., and states as follows:

1. The Plaintiff filed a petition under Chapter 13 of the U.S. Bankruptcy Code on April 4, 2019.
2. This Honorable Court has jurisdiction pursuant to §157 and §1334 of Title 28, United States Code.
3. This is a core proceeding within the meaning of §157(B)(1) and (2) of Title 28, United States Code.
4. Venue is proper pursuant to §1409 of Title 28, United States Code.
5. This Honorable Court has not yet confirmed the Plaintiff's Chapter 13 Plan.
6. Plaintiff, Al Palacz, is an individual.

7. The Plaintiff is the owner of the house, his principal place of residence, located at 617 Cambridge Drive Schaumburg, IL 60193.
8. That Metropolitan Life Ins. Co. holds a first mortgage lien on the real property commonly known as 617 Cambridge Drive Schaumburg, IL 60193 with a secured claim of \$271,774.00.
9. That Real Time Resolutions Inc. and Mortgage Electronic Registration Systems Inc. holds a second mortgage lien on the real property known as 617 Cambridge Drive Schaumburg, IL 60193 in the amount of \$99,272.73. A proof of claim has been filed by Real Time Resolutions Inc. on 4/23/2019 as claim number 4.
10. That the value of 617 Cambridge Drive Schaumburg, IL 60193 was \$227,000.00 at the time of this complaint.
11. That the secured claim of Metropolitan Life Ins. Co. exceeds the value of the subject property, leaving no equity for the Defendant's claim to attach to. Defendants' 2nd lien should be canceled pursuant to §1327(b)(2).

WHEREFORE, the Plaintiff, Al Palacz, prays this Honorable Court for the following relief:

- A. That this Court holds that the interest of the Defendant with respect to the real estate located at 617 Cambridge Drive Schaumburg, IL 60193, is valued at zero.
- B. The Defendant Real Time Resolutions Inc. and Mortgage Electronic Registration Systems Inc. is ordered to cancel and release the underlying 2nd lien on the Plaintiff's real estate, located at 617 Cambridge Drive Schaumburg, IL 60193 and provide to the Plaintiff proof thereof within 30 days after the completion and discharge is granted in the Debtor's Chapter 13 case.

C. That the Plaintiff has such and other relief as the Court may deem just and proper.

Respectfully submitted,

By: /s/ David H. Cutler
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